



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SN 09/284,561 – US 6,749,027;
SN 09/593,360 – US 7,140,552;
SN 09/648,351 – US 6,659,187;
SN 10/145,341 – US 7,048,207;
SN 10/677,900 – pending;
SN 11/292,776 – pending.

Mail Stop Post Issue
Att: Mail Stop M Correspondence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Cover Letter for Terminal Disclaimers
for Issued Patents

Dear Sirs:

A family of six related patents/applications stem from PCT/US98/20061, filed 9/25/1998, based on provisional application number 60/080,846, filed 4/6/1998, published as WO99/51306 on 10/14/1999.

These patents/applications are:

SN 09/284,561 – US 6,749,027;
SN 09/593,360 – US 7,140,552;
SN 09/648,351 – US 6,659,187;
SN 10/145,341 – US 7,048,207;
SN 10/677,900 – pending;
SN 11/292,776 – pending.

Some of the above applications incorporate new matter and may have an additional inventor or a new inventor set. All applications share at least one common inventor.

At least two significant restriction requirements were entered. It is difficult to fully understand and/or interpret the basis for the restriction requirements.

The applications have been taken up by different Examiners, which has lead to different opinions as to relevant art and different approaches to patentability and allowable claims.

As a result, in an abundance of caution and to avoid needless dispute in the future, the common owner, Williams Fire & Hazard Control, Inc., is filing terminal disclaimers for the whole family, disclaiming each member of the family back to the first patent to issue and the first patent to expire, which should be patent number 6,659,187.

Respectfully Submitted,

6/10/18
Date

Sue Shaper
Sue Z. Shaper
Attorney/Agent for Applicant(s)
Reg. No. 31663

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PATENT**

Docket Number (Optional)
50049

In re Application of: Crabtree, et al.

Application No.: 10/677,900

Filed: 10/2/2003

For: Ranger/Hybrid Automatic Self-Metering Nozzle, with Ratio-Selectable & Flow Meter Features

The owner*, Williams Fire and Hazard Control, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent Nos. 6,659,187 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent(s) are is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 31663



Signature

June 10, 2008
Date

Sue Z. Shaper

Typed or printed name

713 550 5710

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

06/12/2008 LTRUONG 00000001 10677900

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